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Attorneys for Defendant
VICTOR CONTE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHANE D. MOSLEY, SR.,

Plaintiff,

vs.

VICTOR CONTE,

Defendant.

Case No. C 08-01777 JSW

**DEFENDANT VICTOR CONTE'S
NOTICE OF MOTION AND MOTION
FOR SANCTIONS AND ATTORNEYS'
FEES (C.C.P. § 425.16(c))**

Hearing Date: December 24, 2008
Time: 9:00 a.m.
Courtroom: 2

HON. JEFFREY S. WHITE

TO THE COURT AND PLAINTIFF AND ITS COUNSEL OF RECORD:

The motion is based on this Notice of Motion and Motion, the Memorandum of Points and Authorities in support thereof, the Declarations of James M. Wagstaffe and Ivo Labar, the papers filed with the Court in this action, and such other written or oral argument as may be presented before the motion is considered by the Court.

Respectfully submitted,

KERR & WAGSTAFFE LLP

Attorneys for Defendant
Victor Conte